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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael Kirkwood

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01/27/2005

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EXAMINER

GYORFI, THOMAS A

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/908,947

Applicant(s)

KIRKWOOD ET AL.

Examiner

Tom Gyorfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-3, 5-14, 16-24, 26-34, and 36-42 remain for examination. The correspondence filed 8/9/04 amended claims 1-3, 5-6, 12-14, 16-17, 22-24, 32-34, 36-37, and 42. Claims 4, 15, 25, and 35 were canceled.

Response to Arguments

2. Applicant's arguments, see Paper No. 7, filed 8/9/04, with respect to the rejections based on Goiffon have been fully considered and are persuasive. The rejections of all pending claims based on Goiffon have been withdrawn.

3. Applicant's arguments filed 8/9/04, with respect to the rejections based on Povilus, have been fully considered but they are not persuasive.

4. Applicant argues, "*Povilus, however, does not teach sending, in response to a request, a response including content of a file (e.g., an image stored in a file) associated with a first (normative) concept. As Povilus does not teach, among other things, the feature of 'in response to receiving a request, sending a response including content of a file associated in the database with the first concept,' Povilus could not possibly teach Claims 1, 12, or 22.*" Examiner disagrees with this contention. The passage cited in the Office Action teaches that a compact disc or other computer readable medium which at least in part comprises the database in question, is searched by the user (col.8, lines 7-11). It is inherently true of compact discs, particularly those that are usable as a computer readable medium as dictated by Povilus, that all data stored on such media are arranged into files. Consequently, any data pulled from the search query depicted in lines 10-65 must necessarily have come from a file on the CD,

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and is therefore "content of a file associated in the database with the first concept". The rejections of claims 1, 12, 22, and also claim 32 for which Applicant put forth an identical argument, stand.

5. Applicant argues, "*Column 10, lines 25-40 of Povilus describes an end user refining a product realm search. The cited section of Povilus does not, however, teach 'the entities include[ing] the set of activities of the enterprise; and wherein the set of activities of the enterprise include at least one of administration, research, marketing, joint ventures and documentation' as featured in Claims 11, 21, 31, and 41. In fact, no part of Povilus, including the cited section, even uses the words administration, research, marketing, joint ventures, or documentation. Therefore, Povilus could not possibly teach 'wherein the entities include the set of activities of the enterprise; and wherein the set of activities of the enterprise; and wherein the set of activities of the enterprise include at least one of administration, research, marketing, joint ventures and documentation'. Therefore, Povilus could not possibly teach Claims 11, 21, 31, and 41.*" Examiner disagrees with this contention. Although not explicitly referred to as such, the actions described in the cited passage clearly constitute "research" under the broadest possible interpretation of that term.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-3, 5-14, 16-24, 26-34, and 36-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Povilus (U.S. Patent 5,740,725).

Referring to Claims 1, 12, and 22:

Povilus discloses a method of responding to a request for data about an enterprise (col 3, lines 3-30), the method comprising the steps of:

storing a plurality of names for a single entity associated with the enterprise as a first plurality of corresponding concepts in a database of concepts and relationships among concepts (Fig 10-14), which database describes a plurality of entities associated with the enterprise, wherein each name of the plurality of names is associated with a particular concept of the first plurality of corresponding concepts (col 3, lines 10-25);

designating a first concept of the first plurality of corresponding concepts as a normative concept (col 7, lines 10-25);

receiving a request including data indicating a particular name of the plurality of names, wherein the request does not include data indicating a first name corresponding to the first concept (col 8, lines 5-20);

and

in response to receiving the request, sending a response including content of a file associated in the database with the first concept (col 8, lines 5-65).

Referring to Claim 32:

Povilus discloses a system for responding to a request for data about an enterprise, the system comprising:

a database of concepts and relationships among concepts describing a plurality of entities associated with the enterprise (col 3, lines 3-30); and a processor configured

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to perform the steps: of storing a plurality of names for a single entity associated with the enterprise as a first plurality of corresponding concepts in the database, wherein each name of the plurality of names is associated with a particular concept of the first plurality of corresponding concepts (Fig 10-14); indicating a first concept of the first plurality of corresponding concepts as a normative concept (col 7, lines 10-25); receiving a request including data indicating a particular name of the plurality of names, wherein the request does not include data indicating a first name corresponding to the first concept (col 8, lines 5-20); and in response to receiving the request, sending a response including content of a file associated in the database with the first concept (col 8, lines 10-65).

Referring to Claims 2, 13, 23 and 33:

Povilus discloses the limitations as discussed in Claims 1, 12, 22, and 32 above.

Povilus further discloses:

storing in the database a first relationship of a first relationship type, the first relationship defined for the first concept and an alternative concept of the first plurality of corresponding concepts (col 6, lines 10-50); and

storing in the database a second relationship of a second relationship type between the first concept and a second concept not among the first plurality of corresponding concepts, wherein the second concept indicates the content included in the response (col 6, lines 10-25).

Referring to Claim 3, 14, 24 and 34:

Povilus discloses the limitations as discussed in Claims 2, 13, 23 and 33 above.

Povilus further discloses:

the particular name corresponds to a particular alternative concept of the first plurality of corresponding concepts (col 8, lines 15-35); and

the database does not include a relationship defined for the second concept and the particular alternative concept (col 7, lines 15-30; col 14, lines 30-65).

Referring to Claims 5, 16, 26 and 36:

Povilus discloses the limitations as discussed in Claims 1, 12, 22, and 32 above.

Povilus further discloses, wherein the plurality of names include at least one of a synonym for the first name corresponding to the first concept, an acronym for the first name, and a translation of the first name into a different language than a language of the first name (col 7, lines 10-30).

Referring to Claims 6, 17, 27 and 37:

Povilus discloses the limitations as discussed in Claims 2, 13, 23 and 33 above.

Povilus further discloses, wherein the first relationship includes an attribute indicating the alternative concept is one of a synonym for the first concept, an acronym for the first concept, and a translation into a different language than a language of the first name corresponding to the first concept (col 7, lines 10-30).

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Referring to Claims 7, 18, 28 and 38:

Povilus discloses the limitations as discussed in Claims 5, 16, 26 and 36 above. Povilus further discloses, wherein the plurality of names includes the synonym for the first name (col 7, lines 10-30); and wherein the synonym for the first name includes a misspelling of the first name (col 8, lines 25-60).

Referring to Claim 8:

Povilus discloses the limitations as discussed in Claim 5 above. Povilus further discloses, wherein the plurality of names includes the synonym for the first name (col 7, lines 10-30); and wherein a synonym for the first name comprises an acronym of the first concept or a translation into a different language than a language of a first name corresponding to the first concept (col 7, lines 1-15).

Referring to Claim 9, 19, 29 and 39:

Povilus discloses the limitations as discussed in Claims 1, 12, 22 and 32 above. Povilus further discloses, adding a name to the plurality of names based on the data included in the request (col 36, lines 5-25; col 37, lines 15-55).

Referring to Claims 10, 20, 30 and 40:

Povilus discloses the limitations as discussed in Claims 1, 12, 22 and 32 above. Povilus further discloses, wherein the entities include at least one of a set of products of

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the enterprise, a set of services of the enterprise and a set of activities of the enterprise (col 3, lines 10-35).

Referring to Claims 11, 21, 31 and 41:

Povilus discloses the limitations as discussed in Claim 10, 20, 30 and 40 above. Povilus further discloses, wherein the set of activities of the enterprise include at least one of administration, research, marketing, joint ventures and documentation (col 10, lines 25-40).

Referring to Claim 42:

Povilus discloses a method of responding to a request for data about an enterprise using a data store that comprises a stored plurality of names for a single entity associated with the enterprise (col 7, lines 10-30), a first plurality of corresponding concepts in a database of concepts and relationships among concepts (col 6, lines 10-50), which database describes a plurality of entities associated with the enterprise, and wherein a first concept of the first plurality of corresponding concepts is identified as a normative concept (col 7, lines 10-30), the method comprising the computer-implemented steps of:

receiving a request including data indicating a particular name of the plurality of names, wherein the request does not include data indicating a first name corresponding to the first concept (col 8, lines 5-20); and in response to receiving the request, sending

a response including content from a file associated in the database with the first concept (col 8, lines 15-45).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

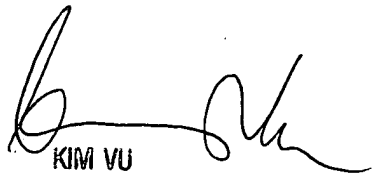
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAG
1/11/05



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